Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

Message Text

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PAGE 01 PARIS 21418 222011Z
ACTION EB-07

INFO OCT-01 ISO-00 SS-15 EA-07 INR-07 EUR-12 /049 W
----------041366 222016Z /65
R 221950Z JUL 77
FM AMEMBASSY PARIS
TO SECSTATE WASHDC 6134
INFO AMEMBASSY BONN
AMEMBASSY BRUSSELS
AMEMBASSY COPENHAGEN
AMEMBASSY LONDON
AMEMBASSY OSLO
AMEMBASSY OTTAWA
AMEMBASSY ROME
AMEMBASSY THE HAGUE
AMEMBASSY TOKYO

C O N F I D E N T I A L PARIS 21418

STADIS//////////////////////////////

E.O. 11652: GDS
TAGS: ESTC COCOM FR
SUBJ: U.S. RELATIONS WITH ITS COCOM PARTNERS

REF: STATE 146834

1. EMBBASSY PARIS HAS READ WITH INTEREST RESPONSES FROM OTHER ADDRESSEE POSTS TO REFTEL. THS EMBASSY PERHAPS HAS SOMEWHAT DIFFERENT PERSPECIVE OF COCOM PROBLEMS DUE TO COMCOM'S LOCATION IN PARIS AND DUE TO CLOSE RELATIONSHIP BETWEEN EMBASSY AND U.S. DELEGATION TO COCOM. FROM EMBASSY PARIS VIEW THERE CAN BE LITTLE DOUBT THAT OTHER COCOM MEMBERS HAVE BEEN SERIOUSLY IRRITATED BY U.S. DELAYS IN HANDLING THEIR COCOM EXCEPTION REQUESTS. REFTEL ITSELF INDICATES EXTENT OF U.S. DELAY PROBLEM AND CITES CERTAIN MEASURES OTHER MEMBER COUNTRIES HAVE
CONFIDENTIAL

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PAGE 02 PARIS 21418 222011Z

ALREADY TAKEN IN REACTION THERETO. THE FRENCH HAVE ON SEVERAL OCCASIONS EXPRESSED TO EMBASSY OFFICERS THEIR ANNOYANCE WITH US IN THIS REGARD. FRENCH HAVE, ON OCCASION, EVEN CHARGED THAT US USES DELAY TACTICS TO FAVOR US EXPORTS. MOST RECENT EXAMPLE OF FRENCH IMPATIENCE WITH US DELAYS OCCURRED IN LAST FEW WEEKS WHEN US WAS UNABLE STATE FINAL POSITION ON FRENCH

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

REQUEST TO OBTAIN ADMINISTRATIVE EXCEPTION TREATMENT FOR CERTAIN AUTOMATED TELEPHONE SWITCHING SYSTEMS WITHIN MANDATORY 30-DAY PERIOD PROVIDED BY COCOM RULES. WHILE FRENCH AGREED TO GRANT TWO-WEEK EXTENTION THEY MADE SLIGHTLY VEILED THREAT TO ACCORD SUCH ADMINISTRATIVE EXCEPTION TREATMENT UNILATERALLY IF US DID NOT RESPOND BY NEW DEADLINE.

2. FRENCH ANNOYANCE WITH COCOM DELAY PROBLEM HAS, TO CERTAIN EXTENT, BEEN REFLECTED IN THEIR NOTED TENDENCY TO INTERPRET LIBEALLY THE INTERNATIONAL EMBARGO IN SUCH A WAY AS TO ACCORD ADMINISTRATIVE EXCEPTION TREATMENT EVEN WHEN OTHER MEMBERS BELIEVE THAT A GENERAL EXCEPTION REQUEST WOULD BE REQUIRED. THEIR LOOSE INTERPRETATION OF THE MACHINE TOOL PROVISIONS--IL 1091 AND THE COMPUTER DEFINITION-IL 1565 HAS PERMITTED THEM TO SHIP NUMEROUS EMBARGOED MACHINE TOOLS AND CONTROLS AS ADMINISTRATIVE EXCEPTIONS RATHER THAN RUN THE RISK OF COCOM DELAY OR DISAPPROVAL OF THESE TRANSACTIONS.

3. IT SHOULD BE RECALLED THAT FRENCH HAVE LONG HISTORY OF ACTING INDEPENDENTLY REGARDING COCOM. SINCE DE GAULLE'S SPLIT WITH ATLANTIC ALLIANCE ORGANIZATIONS THEY HAVE ON OCCASION DEVIATED FROM THE COCOM EMBARGO. MOST RECENT EXAMPLE OF THIS DEVIATION HAVE BEEN THEIR SHIPMENT OF CINETHEODOLITES AND HELICOPTERS TO THE PRC.
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WHILE SUCH ACTIONS ARE DECIDED UPON BROADER ISSUES THAN U.S. COCOM DELAYS, THE U.S. DELAY PROBLEM PROVIDES THEM WITH AN ADDITIONAL JUSTIFICATION FOR SUCH ACTION.

4. POST HAS NO EVIDENCE OF ANY INCREASE IN ILLICIT SHIPMENTS OF COCOM EMBARGOED ITEMS FROM FRANCE TO COMMUNIST COUNTRIES. VIGILANCE OF FRENCH EMBARGO ENFORCEMENT CAN ONLY BE AFFECTED BY FRENCH ATTITUDE REGARDING EMBARGO ITSELF. WE RECALL RETICENCE OF FRENCH AUTHORITIES TO PROSECUTE FRENCH FIRM INVOLVED IN ILLEGAL DIVERSION OF U.S. COMPUTER-RELATED DEVICES IN 1975.
HARTMAN

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Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009

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Margaret P. Grafeld
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